State UST Regulations for Field Constructed Tanks (FCTs) > 50,000 Gallons,

Current Regulations on FCTs

(HAR 11-281)

- Design & construction requirements for tank and piping (corrosion protection)
- Release reporting, investigation, and confirmation
- Release response action
- Closure and change-in-service

~~**Current Regulations on FCTs**~~

~~**(HAR 11-280)**~~

- ~~Design & construction requirements for tank and piping (corrosion protection)~~
- ~~Release reporting, investigation, and confirmation~~
- ~~Release response action~~
- ~~Closure and change-in-service~~

Proposed Regulations version 12.2017

Estimated effective date - October 2018

(HAR 11-280.1)

- By 2018
  - Secondary containment & interstitial monitoring or approved alternative design and release detection for all newly constructed FCTs
- By 2021
  - UST system permitting & notification
  - Spill & overfill control and under-dispenser containment
  - Compatibility
  - Reporting & recordkeeping
  - Equipment repair, testing, and maintenance
  - Walkthrough inspections
  - Release detection
  - Financial Responsibility
  - Operator Training

Additional Oversight Authority with the AOC at the Red Hill Facility

Effective date - September 28, 2015

Regulatory Evaluation and Approval of…

- Tank Upgrade Alternative Process & Decision (every 5 year interval)
- Improvements to Tank Inspection, Repair and Maintenance Protocols
- Facility Specific Release Detection Methods
- Corrosion Detection Methods
- Inspection Procedures including Non-Destructive Testing Evaluation
- Improvements of Operating Protocols including Response to Alarms
- Environmental Assessments including Fate &Transport Modeling and
  - monitoring well network installation
- Updates to Contingency Plans and Qualitative Risk Assessment Plan

Additional advantages of the AOC over the rules

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~~LOCAL PARTICIPATION~~Local Participation

- Requires opportunity for public participation annually
- Involves local subject matter experts & local stakeholders

~~TANGIBLE RESULTS~~Tangible Results

- Requires immediate changes to training, operational procedures
  - (e.g. filling procedures) & response to alarms
- Increase frequency of tank tightness testing
- Evaluation & selection of better, redundant release detection methods
- Deadline when tanks without approved upgrade will not be allowed to operate

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Additional advantages of the AOC over the rules

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Tangible Results

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The Administrative Order on Consent Aggressively Regulates Red Hill

Effective date - September 28, 2015

Regulatory Evaluation and Approval of…

- Tank Upgrade (every 5 year interval)
- Improvements to Tank Maintenance Protocols
- Facility Specific Leak Detection Methods
- Corrosion Evaluation Methods
- Non-Destructive Testing Evaluation Procedures
- Operating Protocols including Response to Alarms
- Environmental Assessments including Contaminant Transport Modeling monitoring well network installation
- Updates to Contingency Plans & A Qualitative Risk Assessment Plan

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- A huge amount of work has been done to evaluate, collect and consolidate information on existing procedures, identify data gaps and shore up regulatory expectations. The department is bringing in more technical expertise to properly review, evaluate and scrutinize, if need be, the most significant bulk of deliverables which will come due this year. This work will be the basis of a major decision to be made soon, including, but not exclusive, to the first tank upgrade.
- This is a Navy meeting but we do have a regulatory table that we welcome you to visit and ask any questions specifically for the department and EPA.

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Why not require large existing FCTs to automatically have secondary containment in the new regulations?

The current draft of Hawaii's UST regulations will require that all ***new*** FCTs must be secondarily contained and have interstitial monitoring but ***existing*** FCTs are problematic. Because these larger FCTs are unique, they require uniquely engineered solutions. Solutions for smaller tanks may not be scalable, applicable and safe to use at the Red Hill facility.

There is a state proposal to require that ***existing*** FCTs be upgraded to secondary containment (or something as protective) by twenty years of the effective date of the rules. This extra time is given in order to research, validate, and safely implement the right solution at each location.

The department may support secondary containment as a foregone conclusion… only on the condition that a pilot study is conducted to ensure proof-of-concept, safe installation and op

I would revise the last item to:

The department may support secondary containment at Red Hill but it requires careful and thorough study. A secondary containment pilot demonstration at Red Hill may be needed to ensure proof-of-concept, safe installation and operations prior to use.

More Stringent

Proposed Regulations version 12.2017

Estimated effective date - October 2018

(HAR 11-280.1)

- By 2018
  - Secondary containment & interstitial monitoring or approved alternative design and release detection for all **newly** constructed FCTs
- By 2021
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  - Spill & overfill control
  - Compatibility
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Current Regulations on FCTs

(HAR 11-281)

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